

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TIMOTHY WOODS, #09369002

*

Plaintiff,

*

v.

*

2:07-CV-852-WHA

DAVID A. CONOLY, *et al.*,

*

Defendants.

*

ORDER

Plaintiff filed this 42 U.S.C. § 1983 action on September 21, 2007. At the time he filed this complaint, Plaintiff was incarcerated at the Montgomery City Jail located in Montgomery, Alabama. On November 30, 2007 the envelope containing Plaintiff's copy of an order filed November 20, 2007 were returned to the court marked "returned to sender - not at this address," because Plaintiff was no longer at the address he had provided to the court.

All parties have an affirmative duty to inform this court of any change of address during the pendency of their actions. Plaintiff received notice of this requirement in the court's September 26, 2007 order of procedure. (*See Doc. No. 4.*) Upon review of the pleadings filed in the instant matter, it is clear that the court file does not contain an alternate address for Plaintiff and that he has not provided this court with a current address since the inception of filing the instant complaint. Accordingly, the court concludes that Plaintiff shall

be granted an opportunity to show cause why his complaint should not be dismissed for his failure to keep the court informed of his current address.

Accordingly, it is ORDERED that:

1. On or before December 10, 2007 Plaintiff SHOW CAUSE why his complaint should not be dismissed for his failure to provide the court with his current address. Plaintiff is cautioned that his failure to comply with this order will result in a Recommendation that his complaint be dismissed without prejudice;

2. The directive that Defendant file an answer and written report to Plaintiff's complaint be held in ABEYANCE pending Plaintiff's response to the instant order; and

3. The Clerk of Court SEND copy of this order to Defendant Conoly, the United States Attorney for the Middle District of Alabama, and to Plaintiff at his last known address.

Done, this 30th day of November 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE